

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CRIMINAL NO. 09-50 (JMR/SRN)

~~SECRET~~

UNITED STATES OF AMERICA,)	SUPERSEDING INDICTMENT
)	
Plaintiff,)	(18 U.S.C. § 373)
)	(18 U.S.C. § 924(c))
v.)	(18 U.S.C. § 956(a)(1))
)	(18 U.S.C. § 2339A(a))
3. AHMED ALI OMAR,)	(18 U.S.C. § 2339B)
a/k/a Mustafa,)	
)	
4. KHALID MOHAMUD ABSHIR,)	
a/k/a Abdul,)	
a/k/a Abdullah, and)	
)	
5. ZAKARIA MARUF,)	
a/k/a Abu Muslim,)	
)	
Defendants.)	

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Conspiracy to Provide Material Support to Terrorists)

1. From in or about September 2007 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah, and
ZAKARIA MARUF,
a/k/a Abu Muslim,

did knowingly and intentionally conspire with each other and others, known and unknown to the grand jury, to provide material support and resources, namely financial support and personnel including themselves and others, knowing and intending that the material support and resources were to be used in preparation for and in carrying out a violation of Title 18, United States Code,

36

FILED JUL 22 2009
RICHARD D. SLETEN, CLERK
JUDGMENT ENTERED
DEPUTY CLERK'S INITIALS

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

Section 956(a)(1) (conspiracy to kill, kidnap, maim or injure persons in a foreign country), all in violation of Title 18, United States Code, Section 2339A(a).

COUNT 2

(Providing Material Support to Terrorists)

2. From in or about September 2007 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah, and
ZAKARIA MARUF,
a/k/a Abu Muslim,

did provide and attempt to provide material support and resources, namely financial support and personnel including themselves and others, knowing and intending that the material support and resources were to be used in preparation for and in carrying out a violation of Title 18, United States Code, Section 956(a)(1) (conspiracy to kill, kidnap, maim or injure persons in a foreign country), all in violation of Title 18, United States Code, Section 2339A(a).

COUNT 3

(Conspiracy to Provide Material
Support to a Foreign Terrorist Organization)

3. On or about September 28, 2000, the defendant **AHMED ALI OMAR**, a/k/a Mustafa, was granted status as a lawful permanent resident of the United States.

4. On or about February 8, 1995, the defendant **ZAKARIA**

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

MARUF, a/k/a Abu Muslim, was granted status as a lawful permanent resident of the United States.

5. On or about February 26, 2008, the Secretary of State of the United States designated al-Shabaab as a foreign terrorist organization.

6. On or about March 18, 2008, the designation of al-Shabaab as a foreign terrorist organization was published in the Federal Register.

7. From on or about March 18, 2008 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah, and
ZAKARIA MARUF,
a/k/a Abu Muslim,

did, in and affecting interstate and foreign commerce, knowingly and intentionally conspire with each other and others, known and unknown to the grand jury, to provide material support and resources, namely financial support and personnel including themselves and others, to a foreign terrorist organization, namely al-Shabaab, knowing that al-Shabaab has engaged and engages in terrorist activity and terrorism, in violation of Title 18, United States Code, Section 2339B(a)(1).

COUNT 4

(Providing Material Support to a Foreign Terrorist Organization)

8. The allegations of paragraphs three through six of this

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

Superseding Indictment are re-alleged and incorporated as if set forth in full herein.

9. From on or about March 18, 2008 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah, and
ZAKARIA MARUF,
a/k/a Abu Muslim,

did, in and affecting interstate and foreign commerce, knowingly and intentionally provide and attempt to provide material support and resources, namely financial support and personnel including themselves and others, to a foreign terrorist organization, namely al-Shabaab, knowing that al-Shabaab has engaged and engages in terrorist activity and terrorism, in violation of Title 18, United States Code, Section 2339B(a)(1).

COUNT 5

(Conspiracy to Kill, Kidnap, Maim, and Injure)

10. From in or about September 2007 through the present, in the State and District of Minnesota and elsewhere, the defendants,

AHMED ALI OMAR,
a/k/a Mustafa,
KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah, and
ZAKARIA MARUF,
a/k/a Abu Muslim,

knowingly and intentionally conspired with each other and others, known and unknown to the grand jury, to kill, kidnap, maim and

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

injure persons outside of the United States, in violation of Title 18, United States Code, Section 956.

11. In furtherance of the conspiracy, and to effect the objects thereof, the defendants and their co-conspirators knowingly committed and caused the commission of the following overt acts:

a. On or about December 4, 2007, in the State and District of Minnesota, SHIRWA AHMED boarded American Airlines flight 1572 from Minneapolis, Minnesota to Chicago, Illinois, with a final destination of Somalia.

b. On or about December 6, 2007, in the State and District of Minnesota, SALAH OSMAN AHMED, a/k/a Salman (charged elsewhere), boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

c. On or about December 6, 2007, in the State and District of Minnesota, Individual #1, whose identity is known to the grand jury, boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

d. On or about December 8, 2007, in the State and District of Minnesota, the defendant **AHMED ALI OMAR**, a/k/a Mustafa, boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

e. On or about December 8, 2007, in the State and District of Minnesota, ABDIFATAH ISSE, a/k/a Omar (charged

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

elsewhere), boarded Northwest Airlines flight 56 from Minneapolis, Minnesota, to Amsterdam, Netherlands, with a final destination of Somalia.

f. On or about December 12, 2007, in the State and District of Minnesota, the defendant **KHALID MOHAMUD ABSHIR**, a/k/a Abdul, a/k/a Abdullah, boarded Northwest Airlines flight 1258 from Minneapolis, Minnesota, to Washington Dulles International Airport in Virginia, with a final destination of Somalia.

g. On or about February 23, 2008, in the State and District of Minnesota, the defendant **ZAKARIA MARUF**, a/k/a Abu Muslim, boarded Northwest Airlines flight 678 from Minneapolis, Minnesota, to Washington Dulles International Airport in Virginia, with a final destination of Somalia.

COUNT 6

(Possessing and Discharging a Firearm During a Crime of Violence)

12. From in or about March 2008 through in or about July 2008, in Somalia, the defendant,

AHMED ALI OMAR,
a/k/a Mustafa,

during, in relation to and in furtherance of crimes of violence which may be prosecuted in a court of the United States, namely the crimes charged in Counts One through Five, did knowingly use, carry, possess and discharge an AK-47-style assault rifle, in violation of Title 18, United States Code, Section 924(c)(1)(A).

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

COUNT 7

(Solicitation to Commit a Crime of Violence)

13. From in or about September 2007 through in or about December 2007, in the State and District of Minnesota and elsewhere, the defendant,

AHMED ALI OMAR,
a/k/a Mustafa,

with intent that other persons engage in conduct constituting a felony that has as an element the use, attempted use and threatened use of physical force against the person and property of another in violation of the laws of the United States, that is, Title 18, United States Code, Section 956, and under circumstances strongly corroborative of that intent, did solicit, induce and endeavor to persuade ABDIFATAH ISSE, SALAH OSMAN AHMED, Individual #1, Individual #2 and Individual #3, whose identities are known to the grand jury, to engage in such conduct, all in violation of Title 18, United States Code, Section 373.

COUNT 8

(Solicitation to Commit a Crime of Violence)

14. From in or about September 2007 through in or about January 2008, in the State and District of Minnesota and elsewhere, the defendant,

KHALID MOHAMUD ABSHIR,
a/k/a Abdul,
a/k/a Abdullah,

with intent that other persons engage in conduct constituting a felony that has as an element the use, attempted use and threatened

U.S. v. Ahmed Ali Omar et al.

Criminal No. 09-50 (JMR/SRN)

use of physical force against the person and property of another in violation of the laws of the United States, that is, Title 18, United States Code, Section 956, and under circumstances strongly corroborative of that intent, did solicit, induce and endeavor to persuade ABDIFATAH ISSE, SALAH OSMAN AHMED, SHIRWA AHMED, and Individual #1 to engage in such conduct, all in violation of Title 18, United States Code, Section 373.

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON